

## No. 394

## AN ACT

SB 1552

Amending the act of April 28, 1961 (P. L. 135), entitled "An act authorizing the licensing of public weighmasters; defining their powers and duties; providing for the collection and disposition of license fees and imposing penalties for violations," transferring duties, functions, jurisdiction as well as the administration and enforcement of the act from the Department of Internal Affairs to the Department of Justice.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clauses (2), (3) and (4) of section 2 and sections 3, 8 and 14, act of April 28, 1961 (P. L. 135), known as the "Public Weighmaster's Act," are amended to read:

Section 2. When used in the act, unless the context requires otherwise:

\* \* \*

(2) The word "department" shall mean and refer to the Department of [Internal Affairs] Justice.

(3) The word ["secretary"] Attorney General shall mean and refer to the [Secretary of Internal Affairs] Attorney General of the Commonwealth, or his designee.

(4) The word "director" shall mean and refer to the Director of the Bureau of Standard Weights and Measures in the Department of [Internal Affairs] Justice.

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Section 3. The director is authorized and directed to enforce the provisions of this act and to adopt, with the approval of the [secretary] Attorney General, in the manner provided by the act of June 4, 1945 (P. L. 1388), known as the "Administrative Agency Law," such rules and regulations as are deemed necessary to carry out the provisions of this act.

Section 8. Each license as licensed public weighmaster shall be issued for a term of one year to expire on the expiration of one year following the date of issuance. Renewal applications shall be in such form as the director, with the approval of the [secretary] Attorney General, shall prescribe.

Section 14. A licensed public weighmaster shall not weigh or issue a certificate for the weight of any solid fuel as defined by the act of July 19, 1935 (P. L. 1356), entitled "An act to regulate the sale and

delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of [Internal Affairs] <sup>1</sup>Justice: and providing penalties," as amended, without first securing a license under said act in addition to the license provided by this act.

Section 2. This act shall take effect immediately.

APPROVED—The 18th day of December, A. D. 1968.

RAYMOND P. SHAFER.

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No. 395

AN ACT

SB 1555

Amending the act of May 5, 1921 (P. L. 389), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," transferring the authority of the Bureau of Standards from the Department of Internal Affairs to the Department of Justice.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The last paragraph of section 1 and sections 2, 4, and 12, act of May 5, 1921 (P. L. 389), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," are amended to read:

Section 1. Be it enacted, &c., \* \* \*

The term "Bureau of Standards" shall be held to mean under or by authority of the chief of the Pennsylvania Bureau of Standards of the Department of [Internal Affairs] Justice. When construing or enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person, acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be deemed to be the act, omission, or failure of such corporation, partnership, company, society, or association, as well as that of the person.

<sup>1</sup> "Agriculture" in original.